GOVERNMENT OF MADRAS.

HELA (1953 ) Department.

~~Endorsement~~
~~B.O.~~
Memorandum
~~Lodged~~

No. 50790/55-LE-2

Dated 19-11. 1953.

FURTHER PAPERS.

| Department. | Number. | Series. | Date. |
|---|---|---|---|
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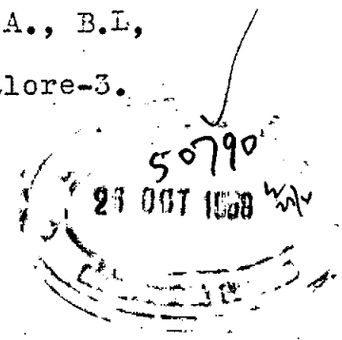
# FOR MYSORE STATE

K.S. Karanth B.A., B.L,
Advocate , Mangalore-3.




To

The Secretary,

Local Administration, Government of Madras,

Fort Saint George, Madras-9.

Sir,

The Executive Authority of the Mangalore Muncipality has been enhancing the property tax under the guise of the rivisional powers on the false and vexatious returns of the Revenue Officer on the annual rental figures supplied by in cases of the houses occupied by the owners themselves. I have filed a suit O.S. No 480 of 1952 in the Court of the District Munsif of Mangalore for the necessary declaration that the enhanced rental value is illegal and ultra vires and that the enhanced taxes received should be refunded with interest from the date of my registered notice of demand. The tax of the house was Rs 5-9-11 till 31-3-1949. There was no additions or any improvement effected in the plot or to the house. The tax was raised to Rs 16-12-9. No notices of the revision petition and the appeal are served and no reliefs granted. Hence the above suit has been filed. In spite of the summons the defendant Mucipality has not produced the Government Orders issued in the matter. I have interviewed the Commissioner on 7-10-1953 at 1.noo to cause search of the orders and I have sent a reminder to file t same into Court as the suit stand posted for trial on 13-11-53. So far nothing has been done.

2. The daily Mail dated 21-10-53 publishes the press report of a similar case heard by the District and Sessions Judge of Tanjore dismissing the appeal preferred by the Tanjore Muncipalit The learned Judge refers to the Go. O. 3878 dated 5-10-45 and the Government Memorandum No 78085dated 22-4-46 and holds the annual rental value in respect of a house occupied

should not be raised by any Muncipality to an amount more which prevailed during the 12 months prior to 1-4-1940. and the Government Order disapproved of the practice of the Muncipality. I have applied for the certified copies of the orders to the Collector who has directed me in his order L.Dis C.A. 246 /53 to apply to the Government. Hence this application . The order of the Collector is enclosed for reference.

3. The report of the late Sir Gopalswamy Ayyanger, the Inspector of Muncipal Councils made in G.O. No 4458 L.M. dated 13-11-1930 is also prayed for my personal study.

Pray for the grant of the following.

1) Report G.O. No 4438. L.M. dated 13-11- 1930.

2) G.O. No 3878 L.A. dated 5-10-1945.

3) G.O. No Memorandum order 78085 dated 22-4-1946.

L.[illegible].240/53.

[illegible]

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[illegible] - Certified copies [illegible] to [illegible] - make the provisions [illegible] - Petition - [illegible].

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[illegible]

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The petitioner is [illegible] that [illegible] published [illegible] desires copies of other [illegible] the Port St.George Gazette, he may [illegible] the [illegible] noting the number and date [illegible] required by him.

/s/ [illegible]

10.10.53

[illegible].

B/ H.E.L.A (L II)

Sub: G.O.s – Request for Copies.

letter dy 26.x.53 from Sri K. Kavanth, B.A., B.L., Advoca Mangalore-3.

Memo. 50790/53 - 22-2 dy 13.11.53 F.D.

The petitioner is informed that Lgo. no. 4438 Lgt. dy 13. does not contain any repo of the late Sri N. Gopalasw Ayyangar. He is also informed that Lgo. no. 3878 Dev. dy 5.x & memo no. 75085 Dev. dy 22. signed by him Contain only executive instructions to the Commrs. of mu of the Corporation of Madras Copies of these orders, which not of public interest will not be furnished to the petitioner.

9.11.53.

9.11.53

9/11/53

13/11/53

Home (A.C) Deptt.

The draft memo on plants may be perused. The file returned to H.E&L.A.

15.11.53 15.11

16/11/53

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Home
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17-11-53